

REGULAR SESSION RUSH COUNTY BOARD OF COMMISSIONERS NOVEMBER 8, 2010

The Rush County Board of Commissioners met in regular session, Monday, November 8, 2010 with Commissioners, Tom Barnes, Marvin Cole, Ken Masters, Deborah Adams, Auditor, and Leigh Morning, County Attorney in attendance.

Commissioner Tom Barnes called the meeting to order, Marvin Cole made the motion to approve the minutes of the October 25, 2010 meeting as presented. Ken Masters seconded the motion. Motion carried. Ken Masters made the motion to approve the minutes of the special meeting of November 1, 2010 as presented. Marvin Cole seconded the motion. Motion carried.

HEALTH

Teri Nigh, Health department secretary, informed the commissioners that the Health Board voted to approve an ordinance establishing a fine due to failure to file and pay for a temporary food establishment permit with the Rush County Board of Health. Ken Masters made the motion to approve Ordinance 2010-8. Marvin Cole seconded the motion. Motion carried.

ORDINANCE 2010-8

**AN ORDINANCE ESTABLISHING A FINE DUE TO FAILURE TO FILE AND PAY FOR A
TEMPORARY FOOD ESTABLISHMENT PERMIT WITH THE RUSH COUNTY BOARD OF
HEALTH**

WHEREAS, the Commissioners of Rush County, Indiana have determined that it is necessary to establish a fine due to the failure to file and pay for a temporary food establishment permit to the Rush County Health Department; and

WHEREAS, the Rush County Board of Health, at their meeting held on October 19, 2010, voted to establish a fine for a temporary food establishment, operating in Rush County, Indiana, that failed to submit and pay for the temporary food establishment permit fee to the Rush County Health Department; and

WHEREAS, the Commissioners of Rush County, Indiana find that such approval and establishment of fine is reasonable.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the County of Rush, Indiana:

1. The Commissioners of Rush County, Indiana establish and approve a fine as follows:
 - (a) \$35.00 per day per occurrence, for a period not to exceed three (3) days per year, for failure to file for a temporary food permit and/or pay the required permit fee;

- (b) for a period of three (3) days and not exceeding fifteen (15) days per year, \$100.00 per occurrence, for failure to file for a temporary food permit and/or pay the required permit fee.

All fines are in addition to the payment of temporary food establishment permit fees.

2. SEVERABILITY OF PROVISIONS: If any provision of this Ordinance or the application thereof to any person or circumstances shall be determined to be invalid, the remainder of the Ordinance and the application of its provisions to other persons not similarly situated or to the other circumstances shall not be affected thereby.

3. REPEAL OF PREVIOUS ORDINANCES: Any and all Ordinances in conflict herewith shall be repealed.

4. This Ordinance will be in full force and effect after proper publication as provided by law, and upon any further requirements under Indiana law.

Adopted this 8th day of November, 2010.

/s/ Thomas H. Barnes
Thomas H. Barnes

/s/ Marvin L. Cole
Marvin L. Cole

/s/ Ken Masters
Ken Masters

ATTEST: /s/ Deborah C. Adams
Deborah C. Adams
Rush County Auditor

AREA PLAN

Bill Todd, Area Plan Director, reported that Richard Yoder, Ruby Yoder, Willard Yoder, John Abrams and Barbara Abrams are owners of property in Anderson Twp. The Yoders and the Abrams wish to rezone an area from A-3 to R-1(residential). Ken Masters made the motion to schedule the public hearing for November 22, 2010 at 9:30 am.

RIDE RUSH COUNTY

Wanda Henderson, Ride Rush County Transportation Director, appeared before the commissioners seeking their approval on the INDOT Section 5311 Operating Assistance Grant. The grant is effective for the 2011 calendar year. Ken Masters made the motion to approve and sign the grant. Marvin Cole seconded the motion. Motion carried.

Henderson reported that another mini bus will arrive at the center in January. The commissioners questioned Henderson as to charges for county citizens traveling outside the county. Henderson informed the commissioners that currently a grant allows Ride Rush to charge \$10.00 for out of county services. Henderson noted that this grant ends December 31, 2010 and that they will need to look at fee charges for services in 2011.

CARTHAGE PIKE

Wanda Henderson questioned Jerry Sitton as to when the Carthage Pike would be open to public traffic. Highway Superintendent Jerry Sitton informed Henderson that the Carthage Pike would be open by Thanksgiving.

TREASURER

Mary Ann Beard, Treasurer, provided the commissioners with a listing of twenty-nine (29) parcels of property that were offered on tax sale October 21, 2010 and received no bid. These parcels qualify for commissioner's sale. Tom Barnes informed Beard that the commissioners are pursuing a commissioner's sale with a vendor.

The commissioners reviewed the Treasurers month ending report for the period ending October 31, 2010.

HIGHWAY

Jerry Sitton, Highway Superintendent, reported that county road 1100 north is closed between 900 west and 965 west due to the deterioration of a concrete arch culvert.

EMPLOYEE HEALTH INSURANCE

Jerry Sitton, Health Insurance Committee Chairman, reported that a required notice is being attached to health insurance employees pay checks regarding their prescription drug coverage and Medicare drug plan. The notice will also be provided to new hires and when an employee terminates employment.

SHERIFF

Jeff Sherwood, Sheriff, along with Jerry Sitton discussed the repealing of Ordinance 2010-2. Discussion was held as to how to best to address the speed limits in the area. Sherwood and Sitton both recommended taking the speed limit back to the original posted speed limits. Leigh Morning and Jerry Sitton advised the commissioners that a study would be required prior to permantly changing the speed limits other than posted.

Ken Masters made the motion to resend Ordinance 2010-9 and to take the speed limits back to the original speed limits. Marvin Cole seconded the motion. Motion carried.

ORDINANCE 2010-9

AN ORDINANCE REPEALING ORDINANCE 2010-2

WHEREAS, on April 26, 2010, the Board of Commissioners of Rush County, Indiana, adopted an Ordinance Establishing a Temporary Maximum Speed Limit on County Road 200 North in an easterly and westerly direction between State Road 3 and County Road 150 East (Ft. Wayne Road); and County Road 150 East (Ft. Wayne Road) in a northerly and southerly direction between County Road 300 North and the Rushville City limits while Main Street was closed and under construction through Rushville, Indiana; and

WHEREAS, Main Street in Rushville, Indiana, has been reopened to vehicular traffic; and

WHEREAS, the need for the temporary speed limit on the above-described route no longer exists.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Rush County, Indiana, that Ordinance 2010-2 is hereby repealed.

This Ordinance is effective upon passage and the removal of the signs along the above-described route.

Adopted this 8th day of November, 2010.

RUSH COUNTY
BOARD OF COMMISSIONERS

/s/ Thomas H. Barnes
Thomas H. Barnes, Chairman

/s/ Marvin L. Cole
Marvin L. Cole

/s/ Ken Masters
Ken Masters

ATTEST:

/s/ Deborah C. Adams
Deborah C. Adams, Auditor

Sherwood reported thirty-five (35) inmates housed in the Rush County jail. Sherwood reported four (4) of the inmates are sentenced and thirty-one (31) are pre-sentenced.

Sherwood reported that he will be attending schooling for newly elected sheriff's during the week of the December 6, 2010.

E-911

Jeff Sherwood, Sheriff and E-911 Director, invited the commissioners to attend the annual PSAP meeting that he along with Ron Jarman will be attending Wednesday, December 8, 2010 in Indianapolis. Tom Barnes will attend on behalf of the commissioners.

Sherwood reported on the WTH proposal for the pinpoint 911 addressing that is currently not provided with the current 911 software system. WTH software cost is \$9,250.00 with \$1,325.00 maintenance after the first year, and \$3,275.00 to do address points. GeoComm is an excess cost of \$16,000.00.

Ron Jarman recommended WTH. Randy Herbert reported that he had discussed connecting WTH with Tom Ricker of Sidwell. Herbert reported that this will not present any problems connecting and will be compatible with the Sidwell GIS software system.

Sherwood reported when questioned as to how the contract would be paid that it would be paid from both the E-911 budget and Bill Todd has offered to assist with financing from the Area Plan Budget.

Ken Masters made the motion to approve and sign the WTH proposal. Marvin Cole seconded the motion. Motion carried. Sherwood noted that WTH has sixty (60) days to complete the project and will come together at the same time as INdigital.

Tom Barnes asked Sherwood to provide inmates and Jerry Sitton to provide a highway truck to remove the signage at the entrance at the North end of town.

EMA

Mike Ooley, EMA Director, reported that the SHSP grant of \$43,200.00 is ready to purchase equipment. Deborah Adams did share her concerns that she had earlier sent Ooley regarding reimbursement of the fund prior to the year end. Adams explained that with the year end being less than sixty days away she could not allow any fund to end in the red. Tom Barnes noted that Ooley could purchase the equipment after January 1, 2011. Adams informed them that they would have the remaining of the year for the reimbursement.

Discussion was held using the commissioner's room for the home command center for EMA and to revamp the assembly room to be also used as the commissioner's room. Ken Masters made the motion to have further discussions. Marvin Cole seconded the motion. Motion carried.

Ooley reported that the county does not need to take the ICS 400 class.

Ken Masters questioned Ooley on the progress of locating weather siren grants. Masters was informed that no information will be released until February.

Ooley discussed the Memorandum of Understanding that will allow permission to install Indiana State Police talk groups into other agencies radios. Ooley reported that the state police now operate out of Pendleton instead of Connersville.

AUDITOR

Deborah Adams, Auditor, received approval of payroll claims on a motion from Marvin Cole. Seconded by Ken Masters. Motion carried.

By-Weekly claims were approved on a motion by Ken Masters. Seconded by Marvin Cole. Motion Carried.

Adams reported that the OCRA grant additional appropriation had been approved by the state. Adams noted that the claims were included in the by-weekly claims submitted and approved by the commissioners.

Adams received approval on the Rush County Calendar for 2011 on a motion by Ken Masters. Seconded by Marvin Cole. Motion carried. It was noted that the commissioner meetings are subject to change.

Approved and signed surety bonds for Tonya Muckerheide and Diana Hoeing on a motion by Marvin Cole. Seconded by Ken Masters. Motion carried.

Adams reported that notice had been received from Anthem Life Insurance Co informing them that recent federal health care reform law allows parents to keep children on their plan until they turn 26 years old. Adams indicated that there was no additional charge for this enhancement to the group life plan and that the participating employees' premiums will remain the same.

Alan King of Rosa Office Plus received approval to show a 45 minute power point presentation to county department heads/office holders. King shared with the commissioners that US Communities Government Purchasing Alliance and the possible savings to the county. King noted that Wayne County had just recently signed up to the savings plan. Ken Masters

made the motion for King to proceed and to coordinate a meeting date with the auditor. Marvin Cole seconded the motion. Motion carried.

Adams reported that the Sheriff and Highway fuel bids needed to be scheduled. Marvin Cole made the motion to open the fuel bids at 9:30 am Monday, December 6, 2011. The bids will be opened during the regular scheduled commissioner meeting.

COURTHOUSE

Tom Barnes reported that Wellman Brothers, LLC have completed a follow up roof inspection of the clock tower. Barnes reported that a minor leak was discovered and repaired and that the letter of credit was returned as per their contract.

Barnes also reported that pigeons have also been discovered in the attic and that they will need to look into poison corn.

MISC.

- Reviewed EMS run reports from Rush Memorial Hospital and Anderson Twp Vol. Fire Department
- Gave approval to Clearview Christmas Tree Farm to place a Christmas tree in the first floor of the courthouse on a motion by Marvin Cole. Seconded by Ken Masters. Motion carried.

Motion to adjourn was received from Marvin Cole. Ken Masters seconded the motion. Motion carried.

<u>/s/Tom Barnes</u>	<u>/s/Marvin Cole</u>	<u>/s/Ken Masters</u>
Tom Barnes, Chairman	Marvin Cole	Ken Masters

ATTEST:

/s/Deborah C. Adams
Deborah C. Adams, Auditor